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Attorney for Defendant

OFFICER JOSEPH W. EBERT

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ADAM BROOKS,

Plaintiff,

v.

CITY OF HENDERSON; CHIEF JAMES
WHITE, individually and in his capacity as
Interim Chief of the Henderson Police
Department; OFFICER JOSEPH W.
EBERT, individually; DOES I through 10,
inclusive,

Defendants.

CASE NO.: 2:14-CV-00374-GMN-GWF

STIPULATION AND ORDER TO EXTEND TIME FOR FILING OPPOSITION
AND REPLY
(FIRST REQUEST)

COMES NOW, Plaintiff ADAM BROOKS, by and through his attorneys, Cal J. Potter, III, Esq., and C.J. Potter, IV, Esq., of the POTTER LAW OFFICES, and Defendant OFFICER JOSEPH W. EBERT, by and through his attorneys, Josh M. Reid, City Attorney and Nancy D. Savage, Assistant City Attorney for the CITY OF HENDERSON, pursuant to LR 6-1, and hereby, stipulate, agree and make joint application to extend the time for Plaintiff to file his Opposition to Defendant Officer Joseph W. Ebert's Motion for Summary

1 Judgment (ECF 39). Plaintiff's Opposition is currently due on November 28, 2016. The
2 parties stipulate, agree and respectfully request an eleven (11) day extension up to and
3 including December 9, 2016, for Plaintiff to file his Opposition.

4 It is further stipulated, agreed and respectfully requested that the time for Defendant
5 Ebert to file his Reply in Support of his Motion for Summary Judgment be set and
6 extended to be due on or before December 22, 2016. The due date for Defendant Ebert's
7 Reply to be filed will not change if the Plaintiff actually files his Reply earlier than
8 December 9, 2016.

9 Good cause exists for the above extensions because counsel for Defendant Ebert
10 is scheduled to be out of the country for a period of two weeks, commencing a couple of
11 days before the date that Plaintiff's Opposition is currently due. The extension provides
12 some additional time over the Thanksgiving holiday and extends during the time that
13 Defendant's counsel will be gone. If the Plaintiff filed his opposition on the current due
14 date, the time for Defendant's Reply would expire before Defendant's counsel returned.
15 The parties have agreed to slightly extend the time that Defendant's counsel would have
16 to Reply after her return, to accommodate that which may arise while she is out of the
17 country.

18 Based upon the foregoing, the parties request that this Court order the extension of
19 time for the Plaintiff to file his Opposition to Defendant's Motion to for Summary Judgment
20 (ECF 39), up to and including Friday, December 9, 2016, and set the deadline for
21 Defendant to file his Reply as Thursday, December 22, 2016.

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This is the first request for enlargement of time to file Plaintiff's Opposition to the Defendant's Motion for Summary Judgment, and to extend the time for Defendant to file his Reply. This request is made in good faith and not for the purposes of delay.

POTTER LAW OFFICES

CITY OF HENDERSON
JOSH M. REID, City Attorney

/s/ Cal J. Potter

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DATED: November 14, 2016

DATED: November 15, 2016

ORDER

IT IS SO ORDERED this 17 day of November, 2016.


UNITED STATES DISTRICT COURT JUDGE